

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Social Welfare – Guntur District – Tadikonda Mandal and Village – Land acquired to an Extent of Ac.0.44 cents bearing Sy.No. 643 etc., for providing house sites to the weaker sections' people - Proposal for release of decretal charges of Rs.11,511/- as ordered in AS No.46/02 in OP No.188/84– Orders – Issued.

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SOCIAL WELFARE (LA) DEPARTMENT

G.O.Rt.No. 461

Dated.04-06-2010.

Read the following:-

1. From the District Collector, Guntur letter No.4448/08-G1, dated.17-11-2008.
2. Commissioner of Social Welfare, Hyderabad. Lr. No. LA4/679/2008, dated .4-1-2010.
3. From the CCLA's Lr. No. G2/492/2009, dated 30.10.2009.

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ORDER:

In the reference 3<sup>rd</sup> read above, the Chief Commissioner of Land Administration, AP, Hyderabad has stated that the Collector, Guntur District has reported that the land to an extent of Ac.13.10 cents bearing S.No.643 etc., of Tadikonda village and Mandal, Guntur District, was acquired for providing house sites to the SCs., BCs., and EBCs., in Guntur Town, in Award No.5/82, dated.21-3-1982 duly fixing the market value @ Rs.10,000/- per acre. The claimants received the compensation under protest and their claims were sent to Senior Civil Judge Court, Gudur U/S 18 of Land Acquisition Act. The Court enhanced the land value from Rs.10,000/- to Rs.15,000/- per acre along with interest at 9% per annum on enhanced compensation from the date of award till one year and thereafter at 15% per annum for subsequent period till the date of realisation and the claimants also entitled for solatium at 30% on market value without interest in LAOP No188/84, 189/84, 184/84, 187/84, 190/84, 191/84, 192/84 and 195/84, dated.27-11-2000. The Land Acquisition Officer and RDO filed an appeal against the decree and judgment of the lower court before the Hon'ble High Court and the High Court dismissed the appeal in AS No.46/02 in OP No.188/84, dated.16-11-2004 and for the remaining OPs., the judgment copies to be received. The claimant in OP No.188/84, Sri Gogineni Kanakaiah, S/o Subbaiah has filed a representation through the Advocate, Guntur for payment of decretal amount. The Hon'ble High Court in 2005 (5) ALT 56, directed that if the market value is enhanced by a Civil Court U/s 18 of the Act, or in further appeals, the difference of the market value together with solatium and interest become payable independently as though it is an award passed afresh. The claimants shall not be entitled to claim interest and other benefits on the amount paid at the time of passing award.

2. The District Collector, Guntur has therefore requested to release an amount of Rs.11,511/- towards decretal charges for payment to the claimant. The Chief Commissioner of Land Administration, AP, Hyderabad has calculated the decretal charges as Rs.11,511/- and sent the proposals to Government for necessary action.

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3. In the circumstances stated above and after careful examination of the matter, the Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad for release of an amount of Rs.11,511/- (Rupees eleven thousands five hundred and eleven only) to the District Collector, Guntur towards payment of balance decretal charges, in respect of the land acquired to an extent of Ac.0.44 cents bearing S.No.643 etc., of Tadikonda village and Mandal, Guntur District, for providing house sites to the SCs., BCs., and EBCs., in Guntur Town, as per orders of Hon'ble High Court in AS No.46/02 in OP No.188/84, dated.16-11-2004.

4. The amount of expenditure sanctioned at para (3) above shall be debited to the following Head of Account and shall be met from the provision available in the Budget Estimates 2010-11,

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes -01 Welfare of Scheduled Castes – M.H.283- Housing – GH.11- Normal State Plan – SH (08) – Acquisition of House Sites to weaker sections under INDIRAMMA Programme – 310 – Grants-in-Aid 312 – Other Grants-in-Aid“

5. The Commissioner of Social Welfare, Hyderabad, is directed to issue necessary proceedings to the Collector, Guntur District accordingly.

7. The Collector, Guntur District, is directed to verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order does not require the concurrence of Finance (Exp.SW) Department as per the instructions issued vide their U.O. Note No.12869/196/A1 /Exp.SW/2009, dated.22-5-2009 and U.O.No.15926/256/A1/ Expr.SW/09, dated.17-8-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.K. TIGIDI,  
PRINCIPAL SECRETARY TO GOVERNMENT (SW) (FAC)

To  
Spl. Chief Secretary to Government and Chief Commissioner  
of Land Administration, AP, Hyderabad.  
The Commissioner of Social Welfare, AP, Hyderabad.  
The District Collector, Guntur District.

Copy to :

The Pay and Accounts Officer, Hyderabad.  
The Director of Treasuries and Accounts, A.P. Hyderabad.  
The Accountant General, A.P, Hyderabad.  
The District Treasury Officer, Guntur District.  
The Finance (Exp.SW) Department.

Sf/sc

//FORWARDED::BY ORDER//

SECTION OFFICER